

Mr. Ed. H. Watson  
State Engineer  
Salt Lake City



Price; Utah  
April 6; 1948

Dear Mr. Watson:

Your letter of March 4; 1948 received and carefully considered. The arguments that you advance to support your position convince us more completely that you are in error. You hold that the OWNER of the water should be assessed to pay the costs of distribution. We agree with you completely in this. The Irrigation Dist. does not own the water we are considering. By authority of the Irrigation District law of the state of Utah the State Engineer made the allotment of reservoir water to the land within the Dist. The water is appertent to the land and naturally belongs to the owner of the land.

The Irrigation Dist. owns a right of way for Reservoir water in only one canal on Price River. In this instance the owners of the water have agreed to carry Reservoir water at the same cost per c.f.s. as is charged for natural flow. In the other canals the reservoir water is carried for the owners of the water by virtue of their being stock holders in the Canal Co. I believe that in practically all cases the same charge is made for Reservoir water as is made for the natural flow. However the Irrigation Dist. has absolutely no jurisdiction over this matter. The owners of the water make their own arrangement with the canal Co.

By authority of the Irrigation Dist Law the Dist. may levy a tax upon all land within the Dist. which has an allotment of Reservoir water. This monie may be used to pay bonded indebtedness, interest, or O and M costs. However the Dist has absolutely no claim against the owners of natural flow. Therefore when the Dist. taxes the owners of reservoir water to pay a river assesment and the canal Co. asseses them for the same purpose they most surely are doubly assesed. That is why the owners of Reservoir water want to be assesed by the canal Co. and not by the Dist.

At the annual meeting of the Price River Ajudication Committee at the suggestion of the chairman the Dist. agreed to contribute to the distribution fund the ammount of the defencie which I beleive was \$87.00 This would not be a payement on the assesment which we still maintain was erroneously made but just a contribution to the good of the cause. We still are willing to do this and forget the assesment.

Very Truly Yours  
Price River Water Conservation Dist.

*Eldred E. Peirce*

Eldred E. Peirce President.

*Copy 4/17/48*